

REMARKS

New claims 47-68, which generally correspond in subject matter to now cancelled claims 1-46, are pending. Applicants respectfully request reconsideration.

Claims 24, 26, 27, 30-38 and 42-46 were rejected under §102(b) as being anticipated by U.S. Patent 4,959,054 to Heimke et al. Claims 24, 28, 29 and 39-41 were rejected under §102(b) as being anticipated by U.S. Patent 4,092,983 to Silvenko. Claim 25 was not rejected under §102, but was reject under §103 as being obvious based on either of the foregoing references in view of U.S. Patent 5,425,761 to Lundgren.

New independent claim 47, upon which the remaining claims depend, combines features of now cancelled claims 24 and 25 including that the implant section is load-bearing and includes an anchor portion adapted for tissue anchoring. New claim 47 further recites that the extracorporeal connector section of the implant is adapted to be connected to a prosthesis. As acknowledged by the Examiner, neither Heimke nor Silvenko disclose a load-bearing implant adapted for connection for a prosthesis. Accordingly, the rejections based on §102(b) should be withdrawn.

Regarding the rejection under §103, applicants respectfully submit that even if Lundgren discloses an implant in Fig. 3 having a portion lying adjacent bone, it does not disclose that the implant is load-bearing or that any portion of the implant shown in Fig. 3 is actually anchored in the bone (Col. 2, line 59 to Col. 3, line 2). Indeed, Lundgren discloses that the flange 12 supported by the bone is between 0.05 and 3 mm, which is too thin to provide load-bearing support for an implant adapted to be attached to a prosthetic device.

Similarly, Lundgren does not disclose that the implant is adapted for attachment to a prosthesis as claimed, or any other load-bearing use for that matter. Instead, the implant disclosed in Lundgren includes a body 10 having a through channel 11 to, for example, deliver medicine or retrieve a sample from a patient's intestine. (Col. 1, Line 55 to Col. 2, Line 13). Accordingly, the combination of Heimke or Silvenko in view of Lundgren does not disclose or suggest an implant with a load-bearing implant section or an extracorporeal connector section adapted to be connected to a prosthesis. Applicants request withdrawal of this rejection.

The pending claims are in condition for allowance. A prompt notice to that effect is respectfully solicited. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully submitted,

FAEGRE & BENSON LLP

By: /John L. Crimmins, 51,589/
John L. Crimmins
Reg. No. 51,589
612/766-7749
Customer No.: 25764

Dated: December 19, 2008